

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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OCT 14 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b),) RM-_____
Table of Allotments,)
FM Broadcast Stations)
(Susquehanna, PA, and Conklin, NY))

To: Chief, Allocations Branch; Policy and Rules Division
Mass Media Bureau; **Mail Stop 1800D5**

PETITION FOR RULE MAKING

1. Majac of Michigan, Inc. ("Majac") and Equinox Broadcasting Corporation ("Equinox") hereby petition the Commission to amend the FM Table of Allotments in Section 73.202(a) of the Commission's Rules and Regulations as follows:

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Susquehanna, PA	223A	263A
Conklin, NY	263A	223A

2. Majac is the licensee of Station WKGB-FM, Channel 223A, Susquehanna. Equinox is the licensee of Station WCDW(FM), Channel 263A, Conklin. The petitioners propose to exchange the communities of license, but not the frequencies, of WKGB-FM and WCDW. In other words, WKGB-FM would continue to operate on Channel 223A, but its license would be modified to specify operation at Conklin rather than Susquehanna; and WCDW would continue to operate on Channel 263A, but its license would be modified to specify operation at Susquehanna rather than Conklin.

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3. The proposed reference points for the two communities are as follows:

Channel 223A, Conklin, NY (WKGB-FM): 42°06'53" n. lat., 75°51'16" w. lon.
Channel 263A, Susquehanna, PA (WCDW): 42°02'30" n. lat., 75°41'30" w. lon.

4. The above coordinates for Channel 223A at Conklin are not the existing transmitter site of WKGB-FM. They are a site to which Majac proposes to relocate the transmitter of WKGB-FM after that station's community of license has been changed to Conklin.^{1/} The above coordinates for Channel 263A at Susquehanna are also not the existing transmitter site of WCDW, but they represent a theoretical site for WCDW that meets all spacing requirements of Section 73.207(a) of the Commission's Rules. WCDW does not propose to move to these coordinates but rather presents them to comply with the requirement that a fully spaced location exist for its proposed allotment.^{2/} Station WCDW currently operates on a short-spaced basis pursuant to Section 73.215 of the Rules and proposes to remain at its existing site as a Section 73.215 station.

^{1/} Majac recognizes that it will have to file an application for construction permit on Form 301-FM before it will be authorized to change the transmitter site of WKGB-FM, but these are the coordinates that it proposes be specified in the Commission's database for the Conklin allotment. The Commission has stated that "[a]lthough we are not required to accommodate the site preferences of an applicant, we will do so when possible." *Warrenton, GA*, 6 FCC Rcd. 5174 (MM. Bur. 1991). There is no reason not to accommodate Majac's site preference here, because there is no competing proposal impacted by such accommodation.

^{2/} The Mass Media Bureau recently raised a question as to whether the Commission should allow Class A FM stations that are limited to 3 kW ERP because of post-1964/pre-1989 grandfathered short-spacing to change community of license, in effect creating a new short-spaced allotment even though no transmitter site change was involved. *Killeen and Cedar Park, TX*, Notice of Proposed Rule Making ("NPRM") in MM Docket No. 98-176, DA 98-1939, MM Bur. rel. Sep. 25, 1998; *Fremont and Holton, MI*, NPRM in MM Docket No. 98-180, DA 98-1856, MM Bur. rel. Oct. 2, 1998. The grandfathering issue does not arise here, because Equinox proposes a fully-spaced reference point for the proposed Channel 263A allotment at Susquehanna.

5. Each of the proposed changes is mutually exclusive with the existing licensed facilities of the proponent, as neither station proposes to change the channel on which it currently operates, WKGB-FM proposes to move its transmitter site only 14 km,^{3/} and WCDW does not propose to change its transmitter site at all. Therefore, no expressions of interest in either allotment may be accepted from third parties.^{4/}

6. Attached hereto is an engineering statement that demonstrates the following:

a. Operating from the proposed reference coordinates for Conklin, WKGB-FM will (i) meet all spacing requirements of Section 73.207(a) and (b) place a city grade (3.16 mV/m) signal over 100% of Conklin.

b. (i) The proposed reference coordinates for Susquehanna meet all spacing requirements of Section 73.207(a), (ii) WCDW operating from its present site will continue to comply with Section 73.215, and (iii) WCDW operating from its present site will place a city grade signal over 100% of Susquehanna.

Accordingly, both proposals comply fully with the Commission's technical requirements for FM allotments, including mileage separation requirements and 100% city grade coverage of their community of license;^{5/} and only considerations under Section 307(b) of the Communications Act remain to be evaluated.

7. The Section 307(b) results are favorable here, because the proposed changes will enable WKGB-FM to provide service to many more people than the station now serves, with no

^{3/} The current licensed coordinates of WKGB-FM are 42°03'10" n. lat., 75°42'07" w. lon.

^{4/} Section 1.420(i) of the Commission's Rules.

^{5/} Cf., *Caldwell, College Station and Gause, Texas*, MM Docket No. 91-58, FCC 98-165, released July 22, 1998.

loss of service to any area that does not receive signals from five or more other stations, and no loss of local transmission service to any community. Indeed, there are no unfavorable Section 307(b) results, as discussed in more detail below.

a. Reception Service

i. The attached engineering statement demonstrates that operating from the proposed new Conklin reference point, the 60 dBu contour of WKGB-FM will continue to cover 2,516.1 square kilometers (no change), but the population receiving service will increase from 190,716 to 232,962, while service will be withdrawn from only 16,445 persons, for a net gain of 42,246 or 22%. All of the 16,445 persons losing service (none of whom are in Conklin itself) receive at least five other aural services.^{6/}

ii. The attached engineering statement also explains that since WCDW does not propose to modify its transmitter location or transmission facilities, there will be no gain or loss in population or area receiving service by that station.

^{6/} The benefit here in terms of additional persons served is similar to that recognized by the Commission in *Coleman, Sebewaing and Tuscola, Michigan*, 11 FCC Rcd. 11286 (MM. Bur. 1996), where two stations exchanged channels, rather than communities of license, in order to permit facilities improvements. That case noted that there is no public interest detriment where persons losing service from one station receive service from five or more other stations, 11 FCC Rcd. at 11288. See also, *Temple and Taylor, Texas*, 12 FCC Rcd. 13755 at ¶2 (MM Bur. 1997); *Macon, Hampton, and Roswell, GA*, Report and Order in MM Docket No. 98-18, DA 98-1942, MM Bur., rel. Sep. 25, 1998 (change of community of license with site change approved, even though 34,360 persons would retain service from fewer than five fulltime aural services); and *Eastland and Baird, TX*, Report and Order in MM Docket No. 97-242, DA 98-1980, MM. Bur., rel. Oct. 2, 1998 (change of community with site change approved where 315 persons would receive fewer than five fulltime aural services).

b. Local Transmission Service

i. At present, each community has one local transmission service: one channel is allotted to Susquehanna, and one channel is allotted to Conklin. There will be no change in that fact; each community will retain one channel, and no community will lose a channel.

ii. At present, both allotments are Class A channels. There will be no change; each community will continue to have local transmission service from one Class A channel.

c. Service to Urbanized Area

i. Susquehanna is not located in any Urbanized Area. WCDW does not propose to change facilities, so there will be no increased service to any Urbanized Area by that station.

ii. WKGB-FM currently provides city grade service to 11.5% of the area and 10.0% of the population of the Binghamton, New York, Urbanized Area. Operating from its proposed transmitter site, it will provide city grade service to 69.1% of the area and 81.2% of the population.^{7/} Because the petitioners do not propose to allot a channel to any community that does not already have an allotment and do not propose to remove a channel from any community, there is no need to make a Section 307(b) choice between communities or to apply any first local service priority to choose between conflicting proposals; so urbanized

^{7/} See attached Engineering Statement.

area considerations^{8/} should not apply. However, even if urbanized area considerations do apply, part of the community of Conklin already lies partially within the Binghamton Urbanized Area.^{9/} Thus the fact that WKGB-FM's proposed site change will result in city grade service to more of the Urbanized Area than at present should not be a consideration.^{10/} It should also be noted that the Commission previously evaluated the needs of Conklin in a contested rule making proceeding and specifically rejected, when it allotted Channel 263 there, an argument that Conklin was adequately served by stations licensed to other

^{8/} See *Faye and Richard Tuck*, 3 FCC Rcd. 5374 (1988).

^{9/} See attached Engineering Statement.

^{10/} See *East Los Angeles, Long Beach, and Frazier Park, California*, 10 FCC Rcd. 1864, 1868 (MM Bur. 1995). In that case, the Commission indicated that urbanized area concerns do not arise where a station seeks to move from one community in an urbanized area to another in an urbanized area. Here, similarly, Conklin is and will remain partly within the urbanized area; and there should be even less concern than in *East Los Angeles*, because unlike that case, no community will gain or lose an allotment. One allotment will remain at the fringe of the urbanized area and the other will remain outside. *Headland, AL, and Chattahoochee, FL*, 10 FCC Rcd. 10352 (MM Bur. 1995), where urbanized area concerns were raised, is inapposite, because a channel was being moved closer to an urbanized area, to a community that had no channel, and without any replacement in the rural community. *Oraibai and Leupp, AZ*, NPRM in MM Docket No. 98-179, DA 98-1957, MM Bur. rel. Oct. 2, 1998, where a *Tuck* showing was requested, is also inapposite, because the proposal there involved moving a single channel from one community to another with no replacement, thereby requiring a Section 307(b) comparison between two communities. In contrast, in the instant case, there will be a swap, where no community without an allotment will gain one, and no community with an allotment will lose one; so there is no need to compare the needs of two communities and to make a Section 307(b) preference finding. *Coleman, Sebewaing and Tuscola, Michigan*, Note 5, *supra*, and *Albion, Honeoye Falls, and South Bristol Township, NY*, Note 11, *infra*, are thus more in point.

communities (including Binghamton) and so had no need for its own station.^{11/}

Conklin will retain a channel of the same class under the instant proposal, with WKGB-FM providing city grade service to the entire community, thus meeting the community's independent needs.^{12/}

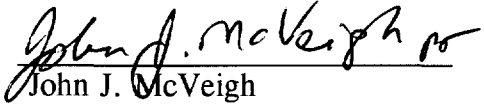
8. In light of the foregoing, Majac and Equinox hereby respectfully request that the Table of Allotments be amended as proposed above and that the license of WKGB-FM be modified to specify Conklin as the community of license (with the reference coordinates

^{11/} *Conklin, New York*, 5 FCC Rcd. 1104 (MM Bur., 1990). Conklin has its own governmental officials, volunteer fire department, ZIP Code, commercial establishments and the like, and is not included in the Binghamton telephone directory (information provided by Majac). It has had its own radio station to meet local needs since WCDW was constructed, and WKGB-FM will be available to continue to meet those local needs.

^{12/} An exchange of communities, similar to that proposed here, was recently authorized in *Albion, Honeoye Falls, and South Bristol Township, New York*, MM Docket No. 98-8, DA 97-1574 (MM. Bur., rel. Aug. 14, 1998), notwithstanding increased service to an urbanized area.

specified above) and that the license of WCDW be modified to specify Susquehanna as the community of license.^{13/}

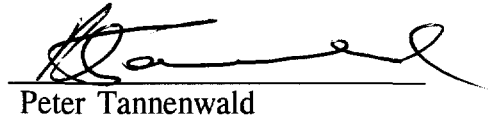
Respectfully submitted,


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Counsel for Equinox
Broadcasting Corporation

October 14, 1998


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Counsel for Majac of Michigan, Inc.

^{13/} Declarations of both petitioners agreeing to the license modifications are attached. Majac has agreed to compensate Equinox for its participation in this proceeding and for accepting a modification of license. There is no restriction in the Commission's Rules against such compensation where the compensation is not being paid for the withdrawal of any rule making petition, proposal, or application.

ORIGINAL

DECLARATION OF MARC D. STEENBARGER

MARC D. STEENBARGER hereby declares as follows:

1. I am Vice President of Majac of Michigan, Inc. ("Majac"), licensee of Station WKGB-FM, Channel 223A, Susquehanna, Pennsylvania.
2. Majac requests the reallocation of Channel 223A from Susquehanna to Conklin, New York, with a modification of the license for WKGB-FM to specify Conklin as the community of license.
3. If the proposal is granted, Majac will promptly file an application for construction permit and/or license to ratify the change of the community of license of WKGB-FM.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 3, 1998, at Endwell, New York


Marc D. Steenbarger

ORIGINAL

DECLARATION OF GEORGE HAWRAS

I, GEORGE HAWRAS, hereby declare as follows:

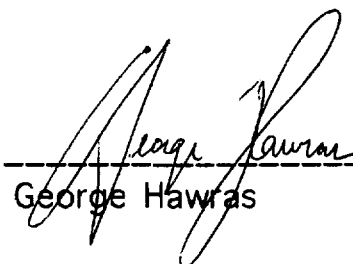
1. I am President of Equinox Broadcasting Corporation ("Equinox"), licensee of Station WCDW(FM), Channel 263A, Conklin, New York.

2. Equinox requests the reallocation of Channel 263A from Conklin to Susquehanna, Pennsylvania, with a modification of the license for WCDW to specify Susquehanna as the community of license.

3. If the proposal is granted, Equinox will promptly file an application for a modified license to ratify the change of the community of license of WCDW.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 9, 1998, at Havertown, Pennsylvania.



George Hawras

ENGINEERING STATEMENT IN
SUPPORT OF PETITION
FOR RULEMAKING

CHANNEL 223A - Conklin, NY

Channel 263A - Susquehanna, PA

Majac of Michigan, Inc.
Susquehanna, PA

September 18, 1998

Prepared For: Mr. Marc Steenbarger
Majac of Michigan, Inc.
3301 Country Club Road
Suite 2218
Endwell, NY 13760

CARL E. SMITH CONSULTING ENGINEERS

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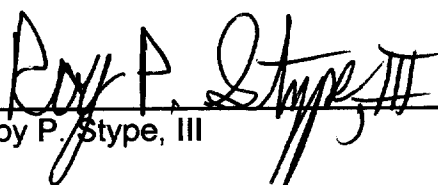
Fig. 3.1 - Predicted City Grade Contour
Channel 263A - Susquehanna, PA
(Allotment Reference Site)

ENGINEERING AFFIDAVIT

State of Ohio)
) ss:
County of Summit)


Roy P. Stype, III, being duly sworn, deposes and states that he is a graduate Electrical Engineer, a qualified and experienced Communications Consulting Engineer whose works are a matter of record with the Federal Communications Commission and that he is a member of the Firm of "Carl E. Smith Consulting Engineers" located at 2324 North Cleveland-Massillon Road in the Township of Bath, County of Summit, State of Ohio, and that the Firm has been retained by Majac of Michigan, Inc. to prepare the attached "Engineering Statement In Support Of Petition For Rulemaking - Channel 223A - Conklin, NY - Channel 263A - Susquehanna, PA."

The deponent states that the Exhibit was prepared by him or under his direction and is true of his own knowledge, except as to statements made on information and belief and as to such statements, he believes them to be true.



Roy P. Stype, III

Subscribed and sworn to before me on **September 18, 1998.**



Notary Public

GAIL M. ELROD, Notary Public
Residence - Summit County
State Wide Jurisdiction, Ohio
My Commission Expires May 26, 2000

/SEAL/

ENGINEERING STATEMENT

1.0 GENERAL

This engineering statement is prepared on behalf of Majac of Michigan, Inc., licensee of Radio Station WKGB-FM - Susquehanna, Pennsylvania. It supports a petition to amend the FM Table of Allotments to effectuate a swap in communities of license between WKGB-FM and WCDW(FM) - Conklin, New York.

WKGB-FM presently operates on Channel 223A, which is allotted to Susquehanna, Pennsylvania, in Section 73.202(b) of the FCC Rules. It is proposed to reallocate Channel 223A from Susquehanna, Pennsylvania, to Conklin, New York, and modify the WKGB-FM license to specify operation on Channel 223A in Conklin. Section 2.0 of this engineering statement contains complete information documenting that the proposed reallocation is possible, as well as complete data regarding the gains in service which would be realized from the proposed reallocation.

WCDW presently operates on Channel 263A, which is allotted to Conklin, New York, in Section 73.202(b) of the FCC Rules. It is proposed to reallocate Channel 263A from Conklin, New York, to Susquehanna, Pennsylvania, and modify the WCDW license to specify operation on Channel 263A in Susquehanna. Section 3.0 of this engineering statement contains complete information documenting that the proposed reallocation is possible. Since WCDW will continue to operate with its presently licensed facilities following the reallocation of Channel 263A to Susquehanna, there will be no gain or loss area created by this proposed reallocation.

In summary, the data contained in this engineering statement shows that Channel 223A can be reallocated from Susquehanna, Pennsylvania to Conklin, New York to permit the WKGB-FM license to be modified to specify operation on Channel 223A in

Conklin and that Channel 263A can be reallocated from Conklin, New York to
Susquehanna, Pennsylvania to permit the WCDW license to be modified to specify
operation on Channel 263A in Susquehanna.

2.0 CHANNEL 223A - CONKLIN, NEW YORK

The geographic reference coordinates for Conklin, New York are:

NL - 42° 02' 03"
WL - 75° 48' 15"

The studies contained in this exhibit were conducted from the existing transmitter site of WINR(AM) - Binghamton, New York, which is located 9.9 kilometers north-northwest of Conklin. The geographic coordinates of this site are:

NL - 42° 06' 53"
WL - 75° 51' 16"

Table 2.0 is an FM allocation study for Channel 223A from the site described above. An examination of this table shows that operation on Channel 223A from this site would be short spaced to the present operation of WKGB-FM on Channel 223A in Susquehanna. This short spacing will not pose any problems since this channel will be deleted if Channel 223A is allotted to Conklin, as proposed herein. Furthermore, under the provisions of Section 1.420(i) of the FCC Rules, this conflict with the existing operation of WKGB-FM will permit the license of WKGB-FM to be modified to specify operation on Channel 223A in Conklin, regardless of other expressions of interest which might be received. Pursuant to the rounding provisions of Section 73.208(c)(8) of the FCC Rules, the 177.88 kilometer spacing to WBEE-FM - Rochester, New York, is considered to comply with the required spacing of 178 kilometers.

Figure 2.1 is a map exhibit showing the predicted 3.16 mV/m (city grade) contour for the site specified above for Channel 223A in Conklin, as well as the predicted 3.16 mV/m contour for the present WKGB-FM operating facilities. The proposed contour was projected assuming maximum Class A facilities of 6 kilowatts effective radiated power at 100 meters above average terrain. Both of these contours were projected

assuming uniform terrain. As shown in this figure, it will be possible to provide city grade service to all of Conklin on Channel 223A from the proposed allotment reference site.

Also shown in Figure 2.1 are the boundaries of the Binghamton, NY, urbanized area. As shown in this figure, a portion of Conklin lies within this urbanized area. Specifically, 2701 persons¹, or 43.1% of Conklin's total population of 6265, and 5.3 square kilometers, or 8.4% of Conklin's total land area of 63.5 square kilometers, are located within this urbanized area. This figure also shows that both the present and proposed WKGB-FM 3.16 mV/m contours will cover a portion of this urbanized area. Table 2.1 is a tabulation of the area and population within this urbanized area which will receive 3.16 mV/m service from both the present and proposed WKGB-FM facilities. As shown in this table, the present facilities provide 3.16 mV/m service to 11.5% of the area and 10.0% of the population of this urbanized area, while the proposed facilities will provide 3.16 mV/m service to 69.1% of the area and 81.2% of the population of this urbanized area.

It should be noted that Conklin (population 6265) is presently served by only WCDW, which will be moved to Susquehanna, Pennsylvania, if the proposal outlined herein is adopted. Thus, the proposal outlined herein would maintain Conklin's only local service. Furthermore, the deletion of Channel 223A would not deprive Susquehanna (population 1760) of its only local service, as the reallocation of Channel 263A from Conklin to Susquehanna would maintain a local service in Susquehanna, which is located wholly outside any urbanized area.

¹All population data in this engineering statement is extracted from the 1990 U. S. Census.

Figure 2.2 is a map exhibit showing the predicted 1 mV/m contour for Channel 223A in Conklin for operation with maximum Class A facilities from the coordinates outlined above. This figure also shows the predicted 1 mV/m contour for the present WKGB-FM operating facilities². Both of these contours were projected assuming uniform terrain. Table 2.2 presents detailed data on the present and proposed populations and areas, as well as the loss and gain areas. It should be noted that the entire area encompassed by these contours, including the loss and gain areas, is well served, receiving five or more full time aural services.

²Pursuant to FCC policy, the present WKGB-FM operating facilities were employed, since they exceed 3 kilowatts at 100 meters above average terrain, or equivalent.

TABLE 2.0

FM ALLOCATION STUDY - CHANNEL 223A (92.5 mHz) - CONKLIN, NY

MAJAC OF MICHIGAN, INC.
SUSQUEHANNA, PA

STUDY COORDINATES: 42/06/53 75/51/16

STATION	LOCATION	CHANNEL	CLASS	SPACING (km)	REQUIRED SPACING*	NOTES
WRVN	Utica, NY	220	A	120.82	31.0	
WRVN	Utica, NY	220	A	125.19	31.0	1, 2
WDLAFM	Walton, NY	221	A	64.08	31.0	
WQFM	Nanticoke, PA	221	A	103.49	31.0	1
WSENFM	Baldwinsville, NY	221	B1	124.76	48.0	
WNBQ	Mansfield, PA	222	A	105.46	72.0	2
WLGL	Riverside, PA	222	A	147.14	72.0	
WFLY	Troy, NY	222	B	163.52	113.0	
WKGBFM	Susquehanna, PA	223	A	14.37	115.0	3, 11
WBEEFM	Rochester, NY	223	B	177.88	178.0	
97-179	Old Forge, NY	223	A	191.44	115.0	9
WXTU	Philadelphia, PA	223	B	236.27	178.0	
WWYZ	Waterbury, CT	223	B	257.37	178.0	
WENYFM	Elmira, NY	224	A	77.47	72.0	1
WXUR	Herkimer, NY	224	A	125.34	72.0	
WRRV	Middletown, NY	224	A	138.54	72.0	
WMGS	Wilkes-Barre, PA	225	B	103.52	69.0	
WMGS	Wilkes-Barre, PA	225	B	103.55	69.0	2
WNTQ	Syracuse, NY	226	B	93.45	69.0	
WNTQ	Syracuse, NY	226	B	93.46	69.0	7
WZOZ	Oneonta, NY	276	A	72.81	10.0	
WMXW	Vestal, NY	277	A	9.87	10.0	
WMXW	Vestal, NY	277	A	9.87	10.0	7

* Required Spacing Per Section 73.207 of The FCC Rules

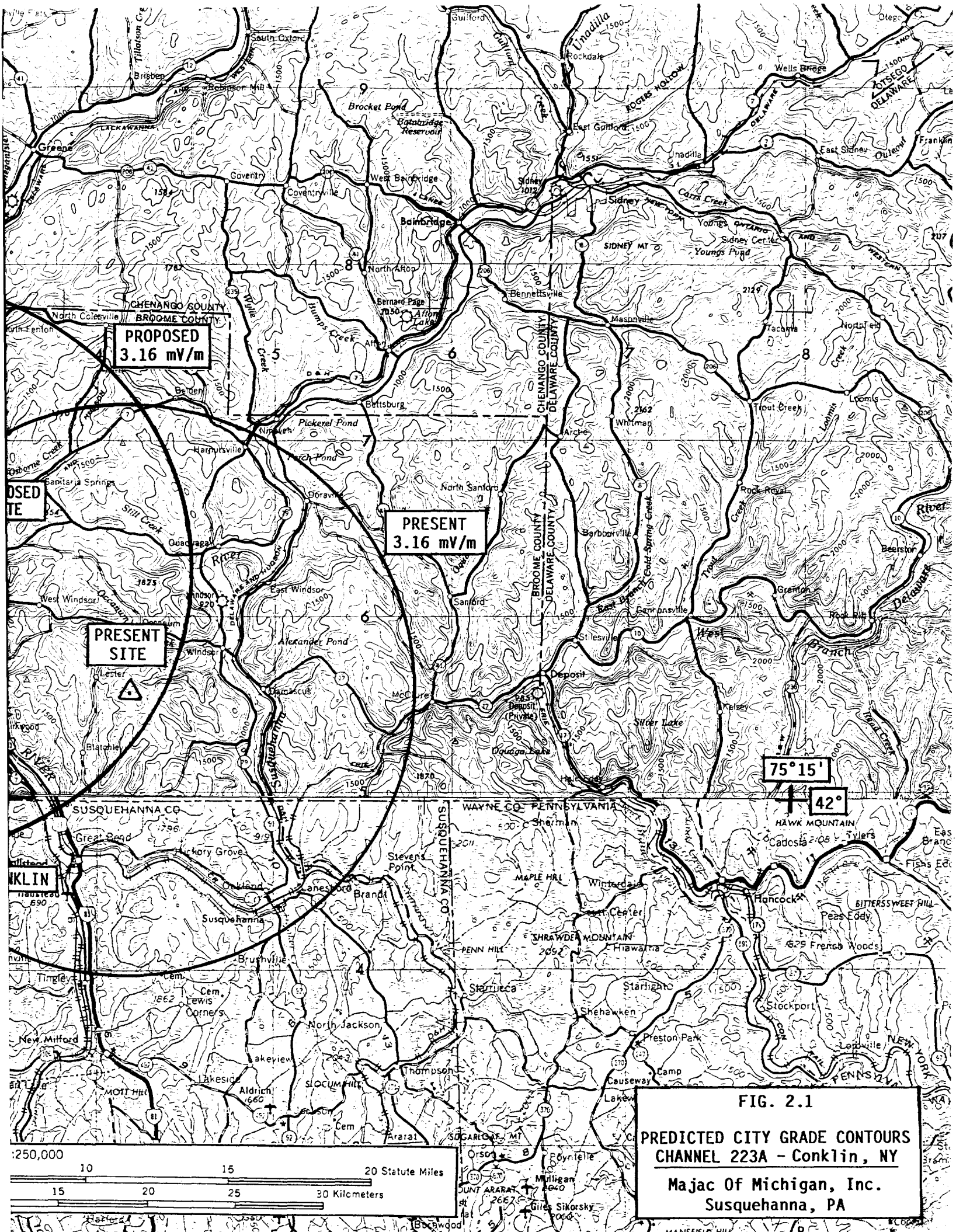
TABLE 2.0 (cont'd)

FM ALLOCATION STUDY - CHANNEL 223A (92.5 MHz) - CONKLIN, NY

MAJAC OF MICHIGAN, INC.
SUSQUEHANNA, PA

Notes:

- | | |
|--------------------------------------|----------------------------------|
| 1 - Applied For Under Section 73.215 | 7 - Pending Application |
| 2 - Construction Permit | 8 - Petition For Reconsideration |
| 3 - Channel Deletion Proposed | 9 - Proposed Rulemaking |
| 4 - Move From This Channel Ordered | 10 - Rulemaking Petition |
| 5 - Move to This Channel Ordered | 11 - Short-Spaced |
| 6 - One Step Reference Site | 12 - Vacant Allotment |



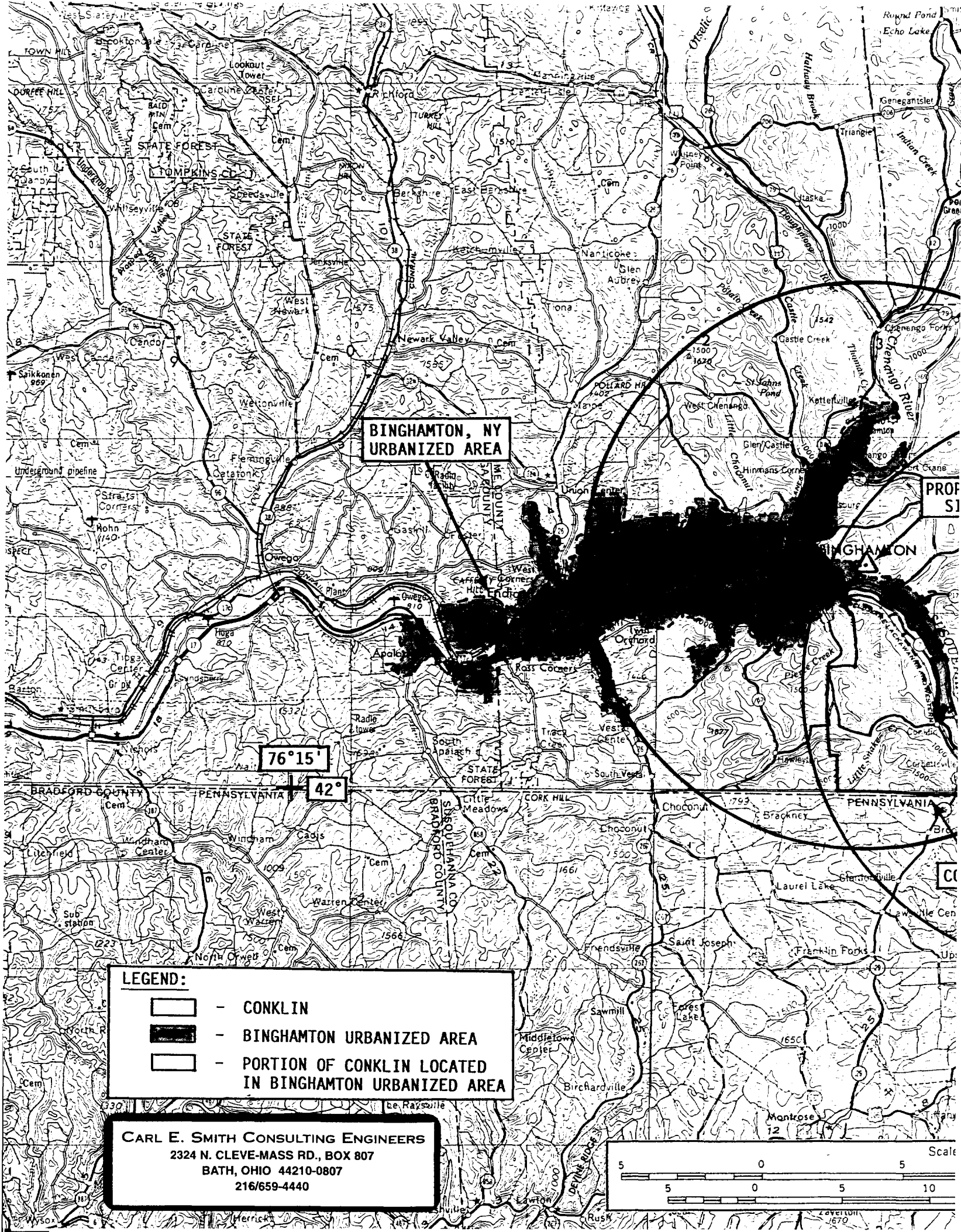


TABLE 2.1

PROPOSED WKGB-FM CITY GRADE
COVERAGE OF BINGHAMTON, NY

URBANIZED AREA

Majac of Michigan, Inc.

Susquehanna, PA

	<u>Area</u>		<u>Population</u> <u>(1990 U. S. Census)</u>	
	<u>(square km)</u>	<u>(Percent)</u>	<u>(Persons)</u>	<u>(Percent)</u>
Present	20.2	11.5	15,822	10.0
Proposed	121.6	69.1	128,668	81.2

Total area of Binghamton, NY, urbanized area = 176.0 square km.

Total population of Binghamton, NY, urbanized area = 158,405.

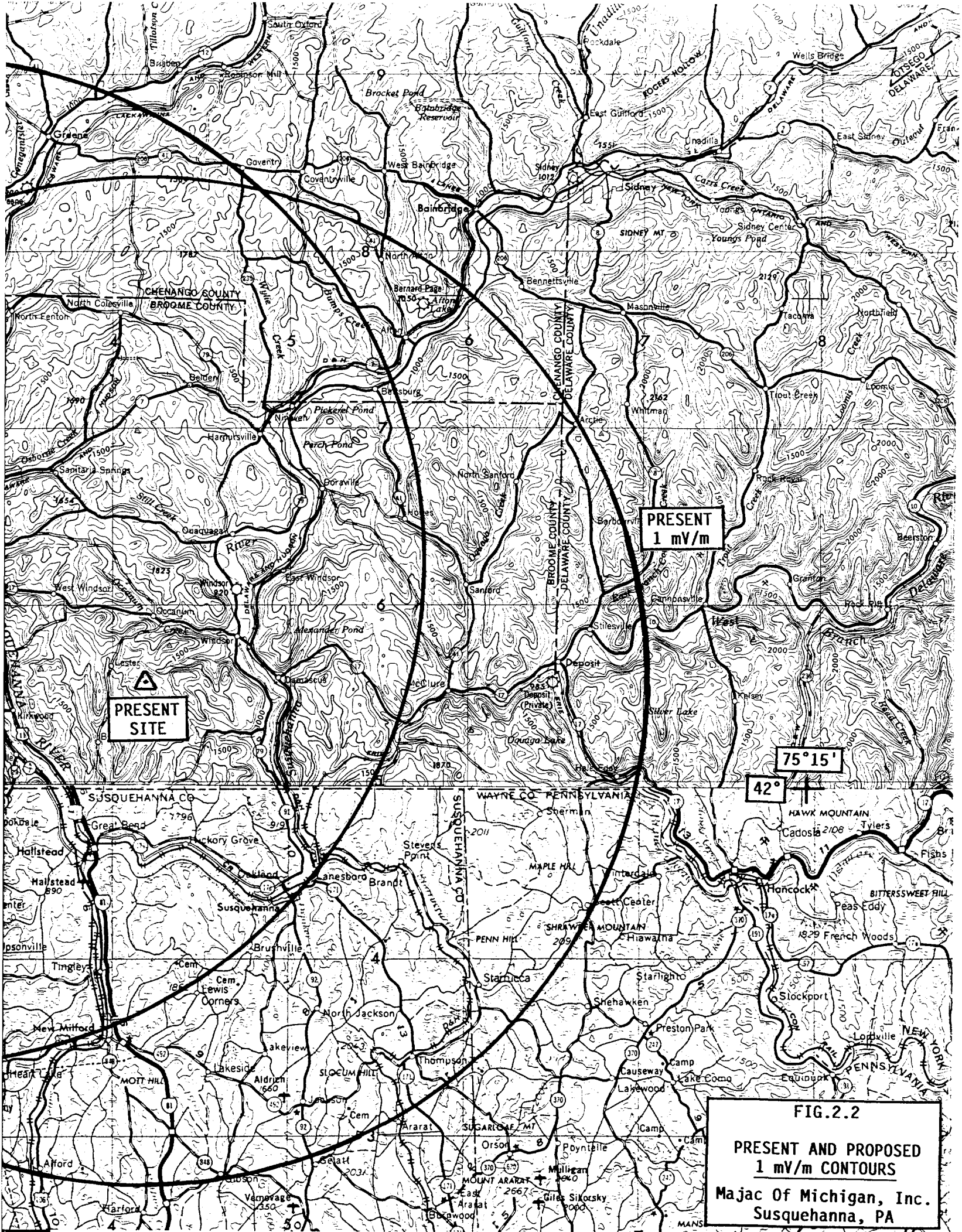
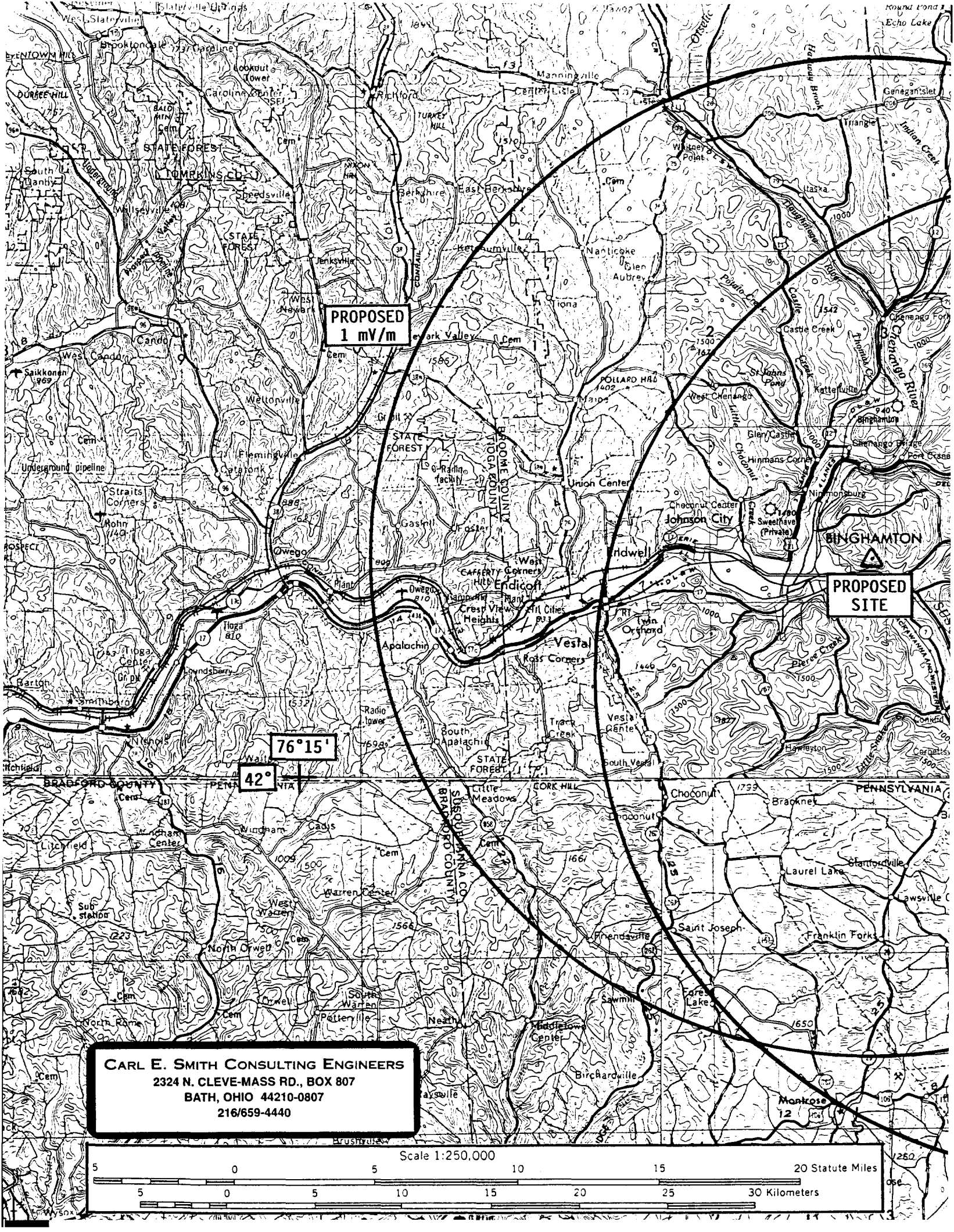


FIG.2.2
PRESENT AND PROPOSED
1 mV/m CONTOURS
Majac Of Michigan, Inc.
Susquehanna, PA



PROPOSED
1 mV/m

PROPOSED
SITE

76°15'
42°

CARL E. SMITH CONSULTING ENGINEERS
2324 N. CLEVE-MASS RD., BOX 807
BATH, OHIO 44210-0807
216/659-4440

Scale 1:250,000

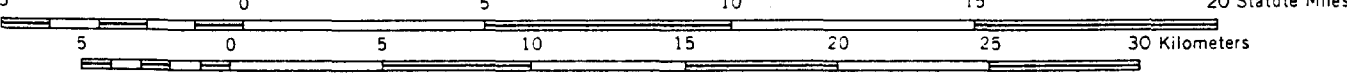


TABLE 2.2

PRESENT AND PROPOSED
AREA AND POPULATION

Majac of Michigan, Inc.
Susquehanna, PA

	<u>Area</u> <u>(Square Kilometers)</u>	<u>Population</u> <u>(1990 Census)</u>
Present	2,516.1	190,716
Gain	809.7	58,691
Loss	809.7	16,445
Proposed	2,516.1	232,962
Net Gain	0.0	42,246

3.0 CHANNEL 263A - SUSQUEHANNA, PENNSYLVANIA

The geographic reference coordinates for Susquehanna, Pennsylvania, are:

NL - 41° 56' 36"
WL - 75° 36' 00"

The present WCDW transmitter site is located 14.8 kilometers northwest of Susquehanna, at the following coordinates:

NL - 42° 03' 10"
WL - 75° 42' 07"

Table 3.0 is an FM allocation study for Channel 263A which was conducted from the present WCDW transmitter site. As shown in this table, WCDW is presently short spaced to WIII - Cortland, New York, which operates on Channel 260B. The present WCDW operating facilities were authorized pursuant to Section 73.215 of the FCC Rules and provide the required contour protection to WIII. Since WCDW will continue to operate with its present operating facilities if its community of license is changed to Susquehanna, it will continue to provide the required contour protection to WIII following this change in community of license.

Figure 3.0 is a map exhibit depicting the predicted 3.16 mV/m contour for the presently licensed operation of WCDW. This contour was projected utilizing the notified WCDW operating facilities from the FCC's FM engineering database and terrain data extracted from the NGDC 30 second terrain database. As shown in this figure, the present WCDW 3.16 mV/m contour encompasses all of Susquehanna. Thus, operation with the present WCDW operating facilities would provide the required city grade coverage to Susquehanna.

Although WCDW would continue to operate from its present site if it is relicensed to Susquehanna, it is also necessary to document that a fully spaced allotment

reference site exists for Channel 263A in Susquehanna. The proposed allotment reference site for Channel 263A in Susquehanna is located 13.3 kilometers northwest of the community, at the following coordinates:

NL - 42° 02' 30"
WL - 75° 41' 30"

Table 3.1 is an FM allocation study for Channel 263A which was conducted from this allotment reference site. As shown in this table, operation on Channel 263A from this site would comply with the spacing requirements to all facilities requiring protection consideration, with the exception of the present operation of WCDW on Channel 263A in Conklin. This short spacing to the present operation of WCDW will not pose any problems since this channel will be deleted if Channel 263A is allotted to Susquehanna, as proposed herein. Furthermore, under the provisions of Section 1.420(i) of the FCC Rules, this conflict with the authorized operation of WCDW will permit the license for WCDW to be modified to specify operation on Channel 263A in Susquehanna, regardless of other expressions of interest which might be received. Pursuant to the rounding provisions of Section 73.208(c)(8) of the FCC Rules, the 68.73 kilometer spacing to WIII - Cortland, New York, is considered to comply with the required spacing of 69 kilometers.

Figure 3.1 is a map exhibit showing the predicted 3.16 mV/m (city grade) contour for operation from the allotment reference site specified above. This contour was projected assuming nondirectional operation with maximum Class A facilities of 6 kilowatts effective radiated power at 100 meters above average terrain, assuming uniform terrain. As shown in this figure, it will be possible to provide city grade service to all of Susquehanna on Channel 263A from the proposed allotment reference coordinates. It should be noted that Susquehanna is not located, either wholly or partially, within any

urbanized area, as defined by the 1990 U. S. Census. Conklin, on the other hand, is located partially within the Binghamton, NY, urbanized area. Furthermore, although the present WCDW city grade contour encompasses a small portion (well below 50%) of the Binghamton urbanized area, the proposed reallocation of Channel 263A to Susquehanna will not increase the city grade coverage of this urbanized area, since it is proposed to continue to operate with the presently licensed WCDW operating facilities following the reallocation of this channel to Susquehanna. Thus, the proposed reallocation of Channel 263A from Conklin to Susquehanna involves a move from a community located partially within an urbanized area to a community located totally outside any urbanized area.

It should be noted that Susquehanna (population 1760) is presently served by only WKGB-FM, which will be moved to Conklin, New York, if the proposal outlined herein is adopted. Thus, the proposal outlined herein would maintain Susquehanna's only local service. Furthermore, the deletion of Channel 263A would not deprive Conklin (population 6265) of its only local service, as the reallocation of Channel 223A from Susquehanna to Conklin would maintain a local service in Conklin.

Since WCDW will continue to operate with its presently licensed facilities following the reallocation of Channel 263A to Susquehanna, there will be no gain or loss area created by this proposed reallocation. Thus, there is no need to submit detailed information regarding the area and population of such gain and loss areas or the number of other full time aural services which would exist in such gain and loss areas.

TABLE 3.0

FM ALLOCATION STUDY - CHANNEL 263A (100.5 MHz) - SUSQUEHANNA, PA(PRESENT SITE)

MAJAC OF MICHIGAN, INC.
SUSQUEHANNA, PA

STUDY COORDINATES: 42/03/10 75/42/07

STATION	LOCATION	CHANNEL	CLASS	SPACING (km)	REQUIRED SPACING*	NOTES
WRHO	Oneonta, NY	209	A	68.51	10.0	
WVIAFM	Scranton, PA	210	B	97.74	15.0	
WIII	Cortland, NY	260	B	67.23	69.0	11
WODEFM	Easton, PA	260	B	154.73	69.0	
ALLOTMENT	Forest City, PA	261	A	45.80	31.0	12
BPH970717MK	Forest City, PA	261	A	49.49	31.0	1, 7
BPH970717MC	Forest City, PA	261	A	55.76	31.0	7
WDHI	Delhi, NY	262	A	79.83	72.0	
WHGLFM	Canton, PA	262	B1	100.20	96.0	
BPH970218MI	Sylvan Beach, NY	262	A	133.50	72.0	2
WHTZ	Newark, NJ	262	B	203.90	113.0	
WCDW	Conklin, NY	263	A	0.00	115.0	1, 3, 11
WVORFM	Rochester, NY	263	B	178.36	178.0	
WYGLFM	Elizabethville, PA	263	A	184.78	115.0	
WRCH	New Britain, CT	263	B	241.33	178.0	
WVVC	Utica, NY	264	A	117.02	72.0	
WCOG	Galeton, PA	264	B1	166.25	96.0	1, 2
WLEV	Allentown, PA	264	B	166.67	113.0	
WHUD	Peekskill, NY	264	B	170.09	113.0	
WCDOFM	Sidney, NY	265	A	38.38	31.0	
WPGI	Horseheads, NY	265	A	97.01	31.0	
WKRLFM	North Syracuse, NY	265	A	127.09	31.0	
WBUGFM	Fort Plain, NY	266	A	118.76	31.0	

* Required Spacing Per Section 73.207 of The FCC Rules

TABLE 3.0 (cont'd)

FM ALLOCATION STUDY - CHANNEL 263A (100.5 MHz) - SUSQUEHANNA, PA(PRESENT SITE)

MAJAC OF MICHIGAN, INC.
SUSQUEHANNA, PA

Notes:

- | | |
|--------------------------------------|----------------------------------|
| 1 - Applied For Under Section 73.215 | 7 - Pending Application |
| 2 - Construction Permit | 8 - Petition For Reconsideration |
| 3 - Channel Deletion Proposed | 9 - Proposed Rulemaking |
| 4 - Move From This Channel Ordered | 10 - Rulemaking Petition |
| 5 - Move to This Channel Ordered | 11 - Short-Spaced |
| 6 - One Step Reference Site | 12 - Vacant Allotment |

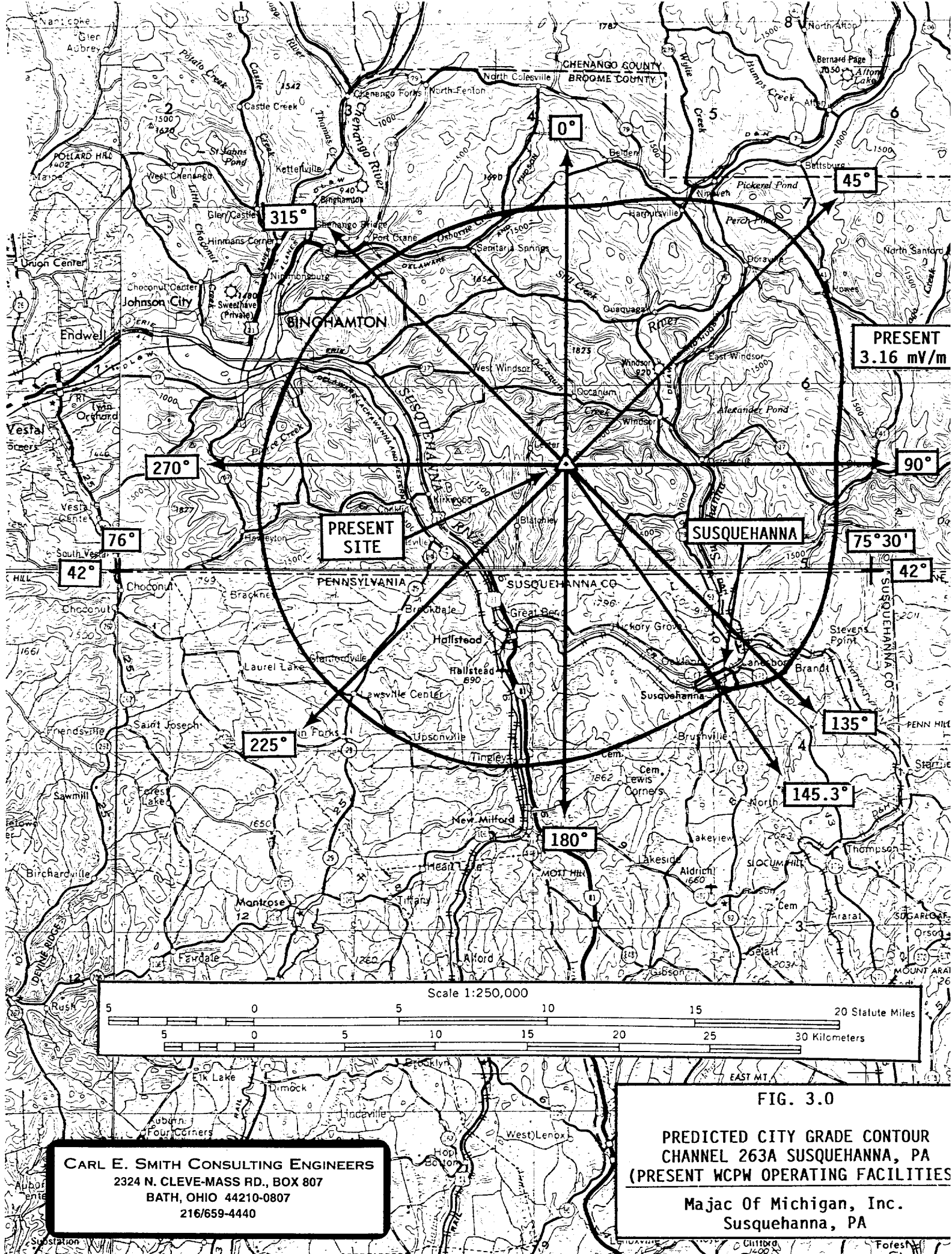


TABLE 3.1

FM ALLOCATION STUDY - CHANNEL 263A (100.5 MHz) - SUSQUEHANNA, PA (ALLOTMENT REFERENCE)

MAJAC OF MICHIGAN, INC.
SUSQUEHANNA, PA

STUDY COORDINATES: 42/02/30 75/41/30

STATION -----	LOCATION -----	CHANNEL -----	CLASS -----	SPACING (km) -----	REQUIRED SPACING* (km) -----	NOTES -----
WRHO	Oneonta, NY	209	A	68.70	10.0	
WVIAFM	Scranton, PA	210	B	96.65	15.0	
WIII	Cortland, NY	260	B	68.73	69.0	
WODEFM	Easton, PA	260	B	153.32	69.0	
ALLOTMENT	Forest City, PA	261	A	44.30	31.0	12
BPH970717MK	Forest City, PA	261	A	48.00	31.0	1,7
BPH970717MC	Forest City, PA	261	A	54.29	31.0	7
WDHI	Delhi, NY	262	A	79.65	72.0	
WHGLFM	Canton, PA	262	B1	100.59	96.0	
BPH970218MI	Sylvan Beach, NY	262	A	134.75	72.0	2
WHTZ	Newark, NJ	262	B	202.43	113.0	
WCDW	Conklin, NY	263	A	1.50	115.0	1,3,11
WVORFM	Rochester, NY	263	B	179.80	178.0	
WYGLFM	Elizabethville, PA	263	A	184.17	115.0	
WRCH	New Britain, CT	263	B	240.31	178.0	
WVVC	Utica, NY	264	A	117.88	72.0	
WLEV	Allentown, PA	264	B	165.34	113.0	
WCOG	Galeton, PA	264	B1	166.77	96.0	1,2
WHUD	Peekskill, NY	264	B	168.77	113.0	
WCDOFM	Sidney, NY	265	A	38.65	31.0	
WPGI	Horseheads, NY	265	A	98.07	31.0	
WKRLFM	North Syracuse, NY	265	A	128.51	31.0	
WBUGFM	Fort Plain, NY	266	A	119.19	31.0	

* Required Spacing Per Section 73.207 of The FCC Rules

TABLE 3.1 (cont'd)

FM ALLOCATION STUDY - CHANNEL 263A (100.5 MHz) - SUSQUEHANNA, PA (ALLOTMENT REFERENC

MAJAC OF MICHIGAN, INC.
SUSQUEHANNA, PA

Notes:

- | | |
|--------------------------------------|----------------------------------|
| 1 - Applied For Under Section 73.215 | 7 - Pending Application |
| 2 - Construction Permit | 8 - Petition For Reconsideration |
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| 5 - Move to This Channel Ordered | 11 - Short-Spaced |
| 6 - One Step Reference Site | 12 - Vacant Allotment |

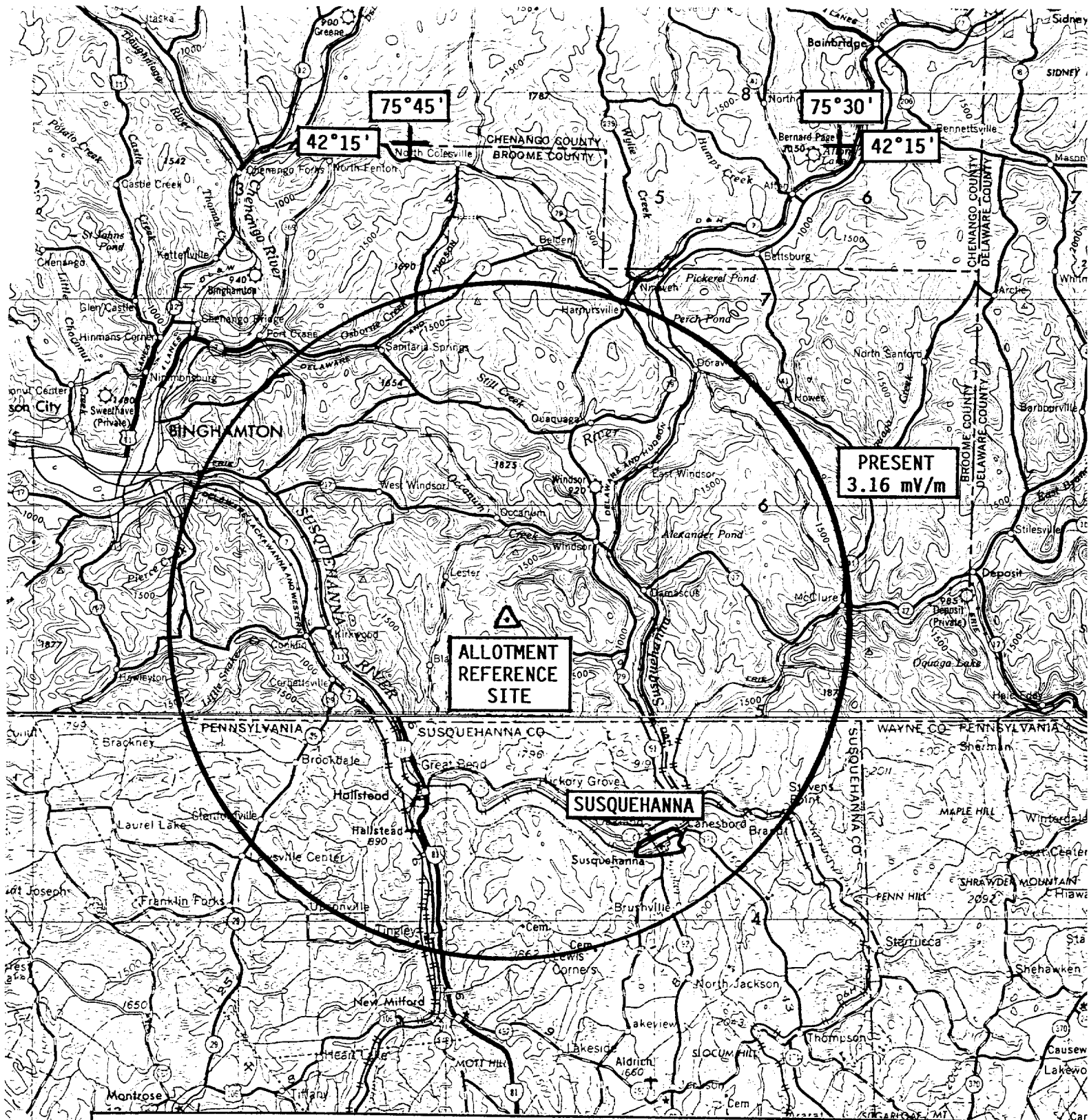


FIG. 3.1

PREDICTED CITY GRADE
CHANNEL 263A SUSQUEHANNA, PA
(ALLOTMENT REFERENCE SITE)

Majac Of Michigan, Inc.
Susquehanna, PA

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